

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ROBERTO DURAND,

Plaintiff,

v.

ELY STATE PRISON, *et al.*,

Defendants.

Case No. 3:19-CV-00460-ART-CLB

**ORDER TO FILE OPPOSITION TO
MOTION FOR SUMMARY JUDGMENT**

On December 8, 2022, Defendants filed a motion for summary judgment. (ECF Nos. 63). The Court ordered Plaintiff to file any response or opposition to this motion by no later than December 30, 2022. (ECF No. 61.) In addition, Plaintiff was given notice of the motion pursuant to the requirements of *Klinge v. Eikenberry*, 849 F.2d 409 (9th Cir. 1988), and *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998). (ECF No. 64.) To date, Plaintiff has failed to file an opposition.

The Court will *sua sponte* grant Plaintiff one **final** extension of time to **Friday, February 3, 2023** to file an opposition to the motion for summary judgment. No further extensions of time shall be granted. If Plaintiff fails to file an opposition, the motion will be submitted to the Court for decision.

IT IS SO ORDERED.

DATED: January 5, 2023


UNITED STATES MAGISTRATE JUDGE